

Senate File 2364

H-8301

1 Amend Senate File 2364, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 1, before line 1 by inserting:

4 <Section 1. NEW SECTION. **225C.54A Mental health services**
5 **system for children and youth — regional core services.**

6 1. For the purposes of this section, unless the context
7 otherwise requires, "*domain*" means a set of similar services
8 that can be provided depending upon a child's or youth's
9 service needs.

10 2. a. (1) A region shall work with service providers to
11 ensure that mental health and disability services are available
12 to children and youth who are residents of the region,
13 regardless of the potential payment source for the services.

14 (2) Subject to the available appropriations, the director
15 of human services shall ensure the mental health and disability
16 service domains listed in subsection 4 are covered services
17 for the medical assistance program under chapter 249A to the
18 greatest extent allowable under federal regulations. Within
19 funds available, the region shall pay for such services for
20 eligible children and youth when payment through the medical
21 assistance program or another third-party payment is not
22 available, unless the child or youth is on a waiting list for
23 such payment or it has been determined that the child or youth
24 does not meet the eligibility criteria for any such service.

25 b. Until funding is designated for other mental health
26 and disability service populations, eligibility for the
27 service domains listed in this section shall be limited to
28 such children and youth who are in need of mental health or
29 intellectual disability services. However, if a county in
30 a region was providing services to an eligibility class of
31 children and youth with a developmental disability other than
32 intellectual disability or a brain injury prior to formation
33 of the region, the class of children and youth shall remain
34 eligible for the services provided when the region was formed,
35 provided that funds are available to continue such services

1 without limiting or reducing core services.

2 3. Pursuant to recommendations made by the director of human
3 services, the state commission shall adopt rules as required by
4 section 225C.6 to define the services included in the initial
5 and additional core service domains listed in [this section](#).

6 The rules shall provide consistency, to the extent possible,
7 with similar service definitions under the medical assistance
8 program. The rules relating to the credentialing of a person
9 directly providing services shall require all of the following:

10 a. The person shall provide services and represent the
11 person as competent only within the boundaries of the person's
12 education, training, license, certification, consultation
13 received, supervised experience, or other relevant professional
14 experience.

15 b. The person shall provide services in substantive areas
16 or use intervention techniques or approaches that are new only
17 after engaging in appropriate study, training, consultation,
18 and supervision from a person who is competent in those areas,
19 techniques, or approaches.

20 c. If generally recognized standards do not exist with
21 respect to an emerging area of practice, the person shall
22 exercise careful judgment and take responsible steps,
23 including obtaining appropriate education, research, training,
24 consultation, and supervision, in order to ensure competence
25 and to protect from harm the persons receiving the services in
26 the emerging area of practice.

27 4. The initial core service domains shall include the
28 following:

29 a. Treatment designed to ameliorate a child's or youth's
30 condition, including but not limited to all of the following:

- 31 (1) Assessment and evaluation.
- 32 (2) Mental health outpatient therapy.
- 33 (3) Medication prescribing and management.
- 34 (4) Mental health inpatient treatment.

35 b. Basic crisis response provisions, including but not

1 limited to all of the following:

2 (1) Twenty-four-hour access to crisis response.

3 (2) Evaluation.

4 (3) Personal emergency response system.

5 c. Support for community living, including but not limited

6 to all of the following:

7 (1) Home health aide.

8 (2) Home and vehicle modifications.

9 (3) Respite.

10 (4) Supportive community living.

11 d. Support for employment or for activities leading to

12 employment providing an appropriate match with the child's or

13 youth's abilities based upon informed, person-centered choices

14 made from an array of options, including but not limited to all

15 of the following:

16 (1) Day habilitation.

17 (2) Job development.

18 (3) Supported employment.

19 (4) Prevocational services.

20 e. Recovery services, including but not limited to all of

21 the following:

22 (1) Family support.

23 (2) Peer support.

24 f. Service coordination including coordinating physical

25 health and primary care, including but not limited to all of

26 the following:

27 (1) Case management.

28 (2) Health homes.

29 5. A region shall ensure that access is available to

30 providers of core services that demonstrate competencies

31 necessary for all of the following:

32 a. Serving children and youth with co-occurring conditions.

33 b. Providing evidence-based services.

34 c. Providing trauma-informed care that recognizes the

35 presence of trauma symptoms in children and youth receiving

1 services.>

2 2. Page 1, after line 35 by inserting:

3 <Sec. _____. Section 331.396, subsection 1, paragraph d, Code
4 2018, is amended by striking the paragraph.

5 Sec. _____. Section 331.396, subsection 2, paragraph d, Code
6 2018, is amended by striking the paragraph.

7 Sec. _____. DEPARTMENT OF HUMAN SERVICES — TRANSFER OF MENTAL
8 HEALTH AND DISABILITY SERVICES REGIONS TO THE DEPARTMENT OF
9 PUBLIC HEALTH.

10 1. Beginning July 1, 2018, the director of human services
11 shall work with the director of public health to transfer the
12 duties of the department of human services regarding the mental
13 health and disability services regions to the department of
14 public health effective July 1, 2019.

15 2. Any contract entered into by the department of human
16 services in matters related to the mental health and disability
17 services regions in effect at the conclusion of the fiscal year
18 beginning July 1, 2018, shall continue in full force and effect
19 pending transfer of such contracts to the department of public
20 health.

21 3. Any rule, regulation, form, order, or directive
22 promulgated by the department of human services regarding the
23 mental health and disability services regions in existence at
24 the conclusion of the fiscal year beginning July 1, 2018, shall
25 continue in full force and effect until amended, repealed, or
26 supplemented by affirmative action of the department of public
27 health.

28 4. With regard to updating references and format in the Iowa
29 administrative code in order to correspond to the transferring
30 of the duties related to the mental health and disability
31 services region from the department of human services to
32 the department of public health, the administrative rules
33 coordinator and the administrative rules review committee, in
34 consultation with the administrative code editor, shall jointly
35 develop a schedule for the necessary updating of the Iowa

1 administrative code.

2 5. The director of human services, in cooperation with the
3 director of public health, pursuant to section 2.16, shall
4 prepare draft legislation for submission to the legislative
5 services agency, as necessary, for consideration by the general
6 assembly during the 2019 legislative session, necessary to
7 complete the transfer of its duties related to the mental
8 health and disability services regions to the department of
9 public health effective July 1, 2019.>

10 3. Title page, line 1, after <Act> by inserting <relating to
11 child and adult services and safety by>

12 4. Title page, line 3, after <buildings> by inserting <, and
13 by providing for other related services including mental health
14 and disability services>

15 5. By renumbering as necessary.

MASCHER of Johnson